

HONORABLE MICHELLE L. PETERSON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ERIC MENDIS,

Plaintiff,

v.

BMW of North America, LLC, and JOHN  
DOES 1-10,

Defendants.

Case No.: 2:22-cv-922-MLP

STIPULATED MOTION AND  
~~PROPOSED~~ ORDER ALLOWING  
PLAINTIFF TO ISSUE A SUBPOENA  
TO APPLE, INC.

NOTED FOR CONSIDERATION:  
APRIL 18, 2025

**STIPULATION**

Pursuant to Local Civil Rule 10(g), the Parties, by and through their respective counsel, request that the Court enter an order allowing Plaintiff to serve a subpoena on Apple Inc. outside the discovery deadline previously set in this case and waiving formal notice thereof under Rule 45:

The Parties submit that good cause exists to grant this request for the following reasons:

1. On April 8, 2025, Defendant produced documents bates-stamped BMWNA 000176–000229, which had not been previously disclosed in discovery. These documents include communications with Apple Inc. that Plaintiff asserts are relevant to the issues in this case and were not previously produced to Plaintiff.

2. To avoid burdening the Court with motion practice, the Parties have agreed to permit Plaintiff to serve a subpoena on Apple Inc. outside the previously established discovery deadline, and to waive formal notice under Rule 45, for the limited purpose of obtaining information related to the newly produced materials.

3. This stipulation shall not extend or modify any other deadlines in the case.

For the foregoing reasons, the Parties request that the Court grant this stipulated motion.

DATED this 18th day of April, 2025.

BORIS DAVIDOVSKIY, P.C.

STOKES LAWRENCE, P.S.

By: /s/ Boris Davidovskiy

By: /s/ Samantha Pitsch

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Attorney for Plaintiff

Attorneys for Defendant BMW of North America, LLC

**ORDER**

Based on the foregoing stipulation, IT IS HEREBY ORDERED:

1. Plaintiff is granted leave to serve a subpoena on Apple Inc. pursuant to Federal Rule of Civil Procedure 45, notwithstanding the previously set discovery deadline;
2. Formal notice of the subpoena under Rule 45 is waived by Defendant for purposes of this subpoena only;
3. This Order does not otherwise alter or extend any other deadlines in the case.

DATED this 22nd day of April, 2025.



MICHELLE L. PETERSON  
United States Magistrate Judge

Presented by:

BORIS DAVIDOVSKIY, P.C.

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